

03/13/01
J1057 U.S. PTO

03-15-01

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Pre Amended
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MLW

DIVISIONAL-CONTINUATION APPLICATION TRANSMITTAL FORM
UNDER RULE 1.53(b) (former Rule 1.60)

Customer Number: 000959

DOCKET NUMBER	ANTICIPATED CLASSIFICATION OF THIS APPLICATION:		PRIOR APPLICATION SERIAL NUMBER: 09/185,402	PRIOR APPLICATION FILING DATE: NOVEMBER 3, 1998
SDB-001CN	CLASS:	SUBCLASS:	EXAMINER: SOUAYA, J.	ART UNIT: 1634

COMMISSIONER FOR PATENTS
BOX PATENT APPLICATION
WASHINGTON, DC 20231

JC929 U.S. PTO
09/805785
03/13/01

CERTIFICATION UNDER 37 CFR 1.10

Date of Deposit: March 13, 2001 Mailing Label Number: EL 589 739 575 US

I hereby certify that this 37 CFR 1.53(b) request and the documents referred to as attached therein are being deposited with the United States Postal Service on the date indicated above in an envelope as "Express Mail Post Office to Addressee" service under 37 CFR 1.10 and addressed to the Assistant Commissioner for Patents, Box Patent Application, Washington, D.C. 20231.

Larry Taylor
Name of Person Mailing Paper

Larry Taylor
Signature of Person Mailing Paper

Dear Sir:

This is a request for filing a ☒ continuation ☐ divisional application under 37 CFR 1.53(b), of pending prior application no. 09/185,402 filed on November 3, 1998, of Tony Baker entitled METHODS AND REAGENTS FOR PRESERVATION OF DNA IN BODILY FLUIDS which in turn is a continuation-in-part of application no. 08/988,029 filed on December 10, 1997.

1. ☒ Enclosed is a copy of the latest inventor signed application, including the oath or declaration as originally filed. The copy of the enclosed papers is as follows:
- ☒ 18 page(s) of specification
 - ☒ 3 page(s) of claims
 - ☒ 1 page(s) of abstract
 - ☒ 21 sheet(s) of drawings (Figures 1-18G)
 - ☒ 5 page(s) of declaration and power of attorney (executed).
- I hereby verify that the attached papers are a true copy of the prior complete application serial no. 09/185,402 as originally filed on November 3, 1998.
2. ☒ Small entity status was established in the prior application(s), and such status is still proper and hereby asserted under 37 CFR 1.28(c)(4)).
3. ☒ The filing fee is calculated below:

	NUMBER OF CLAIMS FILED			NUMBER EXTRA
TOTAL	* 21	MINUS	** 20	= 1
INDEP.	* 5	MINUS	*** 3	= 2
<input type="checkbox"/> MULTIPLE DEPENDENT CLAIMS				

SMALL ENTITY		OR	OTHER THAN A SMALL ENTITY	
RATE	FEE		RATE	FEE
x 9 =	\$ 9.00		x 18 =	\$ 0.00
x 40 =	\$ 80.00		x 80 =	\$ 0.00
+135 =	\$ 0.00		+ 270 =	\$ 0.00
BASIC FEE	\$355.00		BASIC FEE	\$ 0.00
TOTAL	\$444.00	OR	TOTAL	\$0.00

4. ☒ The Commissioner hereby authorized to charge any additional fees which may be required in connection with this communication, or credit any overpayment, to Deposit Account No. 12-0080. A duplicate copy of this sheet is enclosed.
5. ☒ A check in the amount of \$444.00 is enclosed for payment of the filing fee.
6. ☐ Cancel in this application original claims _____ of the prior application before calculating the filing fee. (At least one original independent claim must be retained for filing purposes.)
7. ☐ A preliminary amendment is enclosed. (Claims added by this amendment have been properly numbered consecutively beginning with the number next following the highest numbered original claims in the prior application.)

8. ☒ Amend the specification by inserting before the first line the sentences: "This application is a continuation of application no. **09/185,402**, filed on **November 3, 1998**, Pending, which in turn is a continuation-in-part of application no. **08/988,029**, filed on **December 10, 1997**, Abandoned. The contents of all of the aforementioned application(s) are hereby incorporated by reference."

9. ☐ Please abandon said prior application as of the filing date accorded this application. A duplicate copy of this transmittal is enclosed for filing in the prior application file. (May be used if signed by person authorized by §1.138 and before payment of base issue fee.)
10. ☐ New informal drawings are enclosed.
11. ☐ Priority of application serial no. _____ filed on _____ in _____ is claimed under 35 U.S.C. §119.
- ☐ The certified copy has been filed in prior application serial no. _____ filed on _____.
 - ☐ The certified copy will follow.
12. ☒ The prior application is assigned of record to Sierra Diagnostics, Inc..
13. ☒ A 3 month extension of time has been submitted in the parent application No. **09/185,402** in order to establish copendency with the present application.
14. ☒ Also enclosed is/are: copy of Request for Three Month Extension of Time.
15. ☒ The power of attorney in the prior application is to Lahive & Cockfield, LLP.
- a. ☒ The power appears in the original papers in the prior application.
 - b. ☐ Since the executed power does not appear in the original papers, a copy of the executed power in the prior application is also enclosed.
 - c. ☐ A new power has been executed and is attached.
16. ☒ Address all future communications (May only be completed by applicant, or attorney or agent of record) to Giulio A. DeConti, Esq. at Customer Number: **000959** whose address is:

Lahive & Cockfield, LLP
28 State Street
Boston, Massachusetts 02109

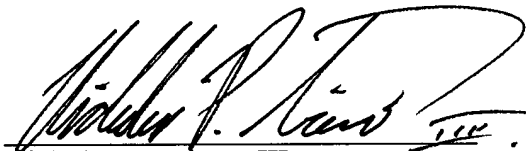
17. ☒ Any requests for extensions of time necessary in a parent application for establishing copendency between this application and a parent application are hereby requested and the Commissioner is authorized to charge any fee associated with such an extension to Deposit Account No. 12-0080.

18. ☐ Pursuant to 37 CFR (e), the computer readable form of the sequence listing for this new application is to be identical with the computer readable form of application serial no. _____. Please use the computer readable form of application serial no. _____ in lieu of filing a duplicate computer readable form in this application. Pursuant to 37 CFR 1.821(f), the content of the paper copy of the sequence listing for this new application and the computer readable form of application serial no. _____ are the same.

March 13, 2001

Date

LAHIVE & COCKFIELD, LLP
28 State Street
Boston, Massachusetts 02109-1784
Tel. (617) 227-7400



Nicholas P. Triano, III

Reg. No. 36,397

☐ inventor(s) ☐ filed under §1.34(a)

☐ assignee of complete interest

☒ attorney or agent of record

PATENT APPLICATION SERIAL NO. _____

U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICE
FEE RECORD SHEET

03/16/2001 BNGUYEN1 00000096 09805785

01 FC:201	355.00	OP
02 FC:203	9.00	OP
03 FC:202	80.00	OP

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